

Message Text

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ORIGIN EB-07

INFO OCT-01 AF-06 ISO-00 AGR-05 AID-05 L-03 SP-02 NSC-05

CIEP-01 TRSE-00 SS-15 STR-04 OMB-01 CEA-01 CIAE-00

INR-07 NSAE-00 EA-07 ARA-06 COME-00 H-02 /078 R

DRAFTED BY EB/OF/FFD:RBMCMULLEN:DE

APPROVED BY EB/OF/FFD:RESERVICE

AF/C:MGALLAGHER

EB/ITP:AREICHENBACH

USDA/FAS:FJACK

AID/GC:ARICHSTEIN

AID/FFP:JDURNAN

L/EB:CROH

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P 022244Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY KINSHASA PRIORITY

C O N F I D E N T I A L STATE 001039

E.O. 11652: GDS

TAGS: EAID, EAGR

SUBJECT: SEC. 103(D)(3) PL 480 - POSSIBLE NEED FOR

-- PRESIDENTIAL WAIVER

1. SEC. 103(D)(3) OF PL 480 BARS TITLE I SALES AGREE-
MENTS WITH COUNTRIES SELLING OR OTHERWISE FURNISHING
COMMODITIES TO, OR PERMITTING THEIR SHIPS OR AIRCRAFT TO
CALL AT, CUBA OR NORTH VIETNAM, UNLESS PRESIDENTIAL WAIVER
OBTAINED. (FYI. THIS SECTION AMENDED RECENTLY BY ENACT-
MENT OF INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE
ACT OF 1975 ALSO TO PERMIT PRESIDENTIAL WAIVERS FOR TRADE
WITH NORTH VIETNAM, ALL COMMODITIES, AND FOR ALL RPT ALL
PLANE/SHIP TRAFFIC TO OR FROM NORTH VIETNAM AND CUBA.)

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2. RECENT UPDATE OF GOZ STATUS REGARDING RESTRICTIONS

CONTAINED 103(D)(3) INDICATES GOZ PL 480 TITLE I ELIGIBILITY MAY HAVE CHANGED. LATEST DEPT. COMMERCE FIGURES BASED ON UNPUBLISHED GOZ TRADE DATA FOR CY-74 INDICATE ZAIRE EXPORTS TO NORTH VIETNAM TOTALED 132,000 ZAIRE. NO CY-1974 EXPORTS TO CUBA INDICATED. NO TRADE DATA FOR CY-75 OR COMMODITY BREAKDOWN OF 1974 EXPORTS TO NORTH VIETNAM READILY AVAILABLE HERE.

3 IN ORDER DETERMINE IF PRESIDENTIAL WAIVER REQUIRED WE NEED FOLLOWING INFORMATION:

A. WHETHER EXPORTS REFERRED TO IN PARA. 2 ARE PRIVATE OR FURNISHED OR SOLD BY GOVERNMENT ENTITY. (FYI. SEC. 103 (D)(3) DOES NOT APPLY TO PRIVATE TRADE.);

B. WHETHER GOZ IN VIOLATION OF SEC. 103(D)(3) AIRCRAFT/ SHIPPING PROVISIONS;

C. EMBASSY ASSESSMENT OF TREND OF GOZ EXPORTS AND PLANE/ SHIP TRAFFIC TO CUBA AND NORTH VIETNAM FOR IMMEDIATE FUTURE.

4. IF REQUIRED, PRESIDENTIAL WAIVER PROCESS NORMALLY TAKES 2-3 WEEKS. WHILE IT DESIRABLE HAVE FULLEST TRADE/ TRAFFIC DATA AVAILABLE AND IN ANY EVENT WE NEED ENOUGH TO DETERMINE WHETHER WAIVER IS NECESSARY, IN INTEREST MINIMIZING DELAY YOU SHOULD BE AWARE THAT WAIVER REQUEST ITSELF DOES NOT NORMALLY INCLUDE DETAILED INFORMATION. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PL 480, INVESTMENT CLIMATE, TRADE, FOOD ASSISTANCE
Control Number: n/a
Copy: SINGLE
Draft Date: 02 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Review Event:
Review Exemptions: n/a
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Review Markings:

Margaret P. Grafeld
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Review Withdrawn Fields: n/a
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